MINUTES OF MEETING HELD AUGUST 27, 2012

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday August 27, 2012, at 7:00 p.m. with the following present: Mayor Eddie Girdler. Council Members: John Minton, Jim Mitchell, Pat Bourne, Jerry Burnett, Tom Eastham, Jim Rutherford, Linda Stringer, Jerry Wheeldon, Mark Beasley, Jerry Girdler, Mike New, and Donna Hunley. City Attorney Carrie Wiese and City Clerk David Godsey.

Mr. Beasley moved to approve the minutes of the regular meeting held on August 13, 2012, along with the reports as mailed. Mr. Wheeldon seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance #12-10:

ATTEST:

ORDINANCE NO. 12-10

THIS ORDINANCE NUMBER 12-10 FIXING THE TAX LEVY, AD VALOREM, FRANCHISE TAX, AND TAX FOR THE CITY OF SOMERSET, KENTUCKY, FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013 PROVIDING PENALTY AND INTEREST FOR NON-PAYMENT.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

SECTION 1. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky, for the fiscal year beginning July 1, 2012 and ending June 30, 2013 is hereby leviced an advalorem of thirteen cents (130) on each hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky.

SECTION 2. That the thirteen cents (.130) ad valorem on each one hundred dollars (\$100.00) of taxable property within the city limits of Somerset, Kentucky, levied shall be deposited in the general fund account and shall be used to pay on general expenses incidental to the operation of the city government.

SECTION 3. That for the purpose of providing income for general municipal expenses for the City of Somerset, Kentucky for the fiscal year beginning July 1, 2012 and ending June 30, 2013 there is hereby levied a tax of thirteen cents (.130) on each hundred dollars (\$100.00) on personal property, tangible and intangible of franchise holders as determined by the Department of Revenue within the city limits of Somerset, Kentucky.

SECTION 4. The thirteen cents (.130) on each one hundred dollars (\$100.00) for franchise property within the city limits of Somerset, Kentucky, shall be deposited in the general fund account and is to be used to pay on expenses incidental to the operation of city covernment.

SECTION 5. That a five percent (.05%) discount shall be allowed on each one dollar (\$1.00) collected before November 1, 2011.

SECTION 6. That there shall be added to and collected a penalty of twenty percent (.20%) and interest of six percent (.06%) per annum upon each one dollar (\$1.00) of all taxes herein provided for and unpaid after January 1, 2013 until such time that said taxes are paid.

SECTION 7. This Ordinance is to become in full force and effect on and after its approval and passage according to law.

FIRST READING (hugust /3, 2012 SECOND READING (hugust 2) 2012

Mr. Wheeldon moved to approve the above Ordinance No. 12-10 on its second reading setting the tax rate for 2012. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Second reading was given the following Ordinance #12-11:

ORDINANCE NO. 12-11

AN ORDINANCE IMPOSING A BANK FRANCHISE AND LOCAL DEPOSIT TAX: SETTING FORTH TIME TABLES FOR THE COLLECTION OF SUCH TAX FOR THE YEAR 2012 AND ALL SUBSEQUENT YEARS: AND SETTING FORTH ENFORCEMENT PROCEDURES, INCLUDING PENALTIES FOR THE COLLECTION OF DELINQUENT TAXES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, KENTUCKY AS FOLLOWS:

SECTION 1: There is hereby imposed on all "financial institutions" as defined in KRS Chapter 136, located within the corporate limits of the City of Somerset, Kentucky, for the 2012 tax year and all subsequent years, a franchise tax at the rate of 0.025% on all deposits, as defined in KRS Chapter 136, maintained by such financial institutions.

SECTION 2: The City of Somerset, Kentucky will issue tax bills to financial institutions no later than December 1 of each year. Payment of the tax shall be due with a two percent (2%) discount by December 31 of each year, or without discount by January 31 of each year.

SECTION 3: The City of Somerset, Kentucky, shall have a lien for taxes on the property assessed for taxes to the extent allowed under KRS 134-420.

SECTION 4: All taxes due in accordance with these sections which are not paid before June 30, 2013 for the tax year 2012, or which are not paid before January 31, for all subsequent tax years shall be deemed delinquent and shall be subject to a penalty of 20% and shall bear interest at the rate of .6% per annum.

SECTION 5: All moneys collected pursuant to these sections shall be paid into the General Fund of the City to be used for the payment of proper expenditures as determined by the City Council.

SECTION 6: The City Clerk is hereby directed to send a copy of their Ordinance to the Commissioner of the Kentucky Department of Revenue, Frankfort, Kentucky.

FIRST READING August / 3, 201

SECOND READING (LIGUED 27, 2012 ATTEST:

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Mr. Beasley moved to approve the above Ordinance No. 12-11 imposing a bank franchise and local deposit tax. Mr. Burnett seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Bourne moved to go into executive session for possible litigation. Mr. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, Mr. New, and Mrs. Hunley.

No action taken in executive session.

Second reading was given the following Ordinance #12-12:

ORDINANCE NO. 12-12

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, SETTING FORTH THE CITY'S INTENT AND DESIRE TO ANNEX A CORRIDOR OF HIGHWAY, SPECIFICALLY KENTUCKY STATE HIGHWAY 80, PULASKI COUNTY, KENTUCKY, TO THE CITY OF SOMERSET;

Mr. Wheeldon moved to approve the above Ordinance No. 12-12 on its second reading. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Wheeldon, and Mr. Girdler. Voting "Nay": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr. Rutherford, Mrs. Stringer, Mr. Beasley, and Mrs. Hunley. Motion Failed.

Second reading was given the following Ordinance #12-13:

	ORDINANCE NUMBER 12-13				
CONSENT PROPERTY	AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND				
PROPERTY OWNERS COMPLETED; AND T WAITING PERIOD, B BY THE OWNER ANI INCORPOATED IN FU	TION REQUEST FORMS HAVE BEEN SUBMITTED BY THE , AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS HE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY Y AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED JOR AN AUTHORIZED AGENT OF THE OWNER AND JUL HEREIN BY REFERENCE, AND MADE PART OF THE THIS ORDINANCE; AND				
	UMENTS AND RECORDS NEEDED TO PROCEED WITH IE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF				
	PERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS IND ALL OTHER APPLICABLE LAW;				
NOW THEREFORE, B	E IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:				
SECTION 1.	THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.				
	2601 KENTUCKY HIGHWAY 39-NELSON VALLEY GROCERY				
SECTION 2.	THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.				
	FIRST READING:				
	SECOND READING				
	APPROVED EDWARD R. GIRDLER, MAYOR CITY OF SOMERSET, KENTUCKY				
ATTEST: DAVID GO	DSEY, CITY CLERK				

Mr. Bourne moved to approve the above Ordinance No. 12-13 annexing property at 2601 Kentucky Highway 39-Nelson Valley Grocery. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-14:

ORDINANCE NUMBER 12-14 AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING MUAVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER ANDOR AN AUTHORIZED AGENT OF THE OWNER AND NOORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE, AND WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW; NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY: SECTION 1. THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS. 22 HIDDEN CREEK DRIVE-BP STATION SECTION 2. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW. FIRST READING: SECOND READING APPROVED EDWARD R. GRDLER, MAYOR CITY OF SOMERSET, KENTUCKY ATTEST: DAVID GODSEY, CITY CLERK

Mr. Wheeldon moved to approve the above Ordinance No. 12-14 annexing property at 22 Hidden Creek Drive-BP Station. Mr. Girdler seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-15:

	ORDINANCE NUMBER 12-15			
AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND				
PROPERTY OWNE COMPLETED; AND WAITING PERIOD, BY THE OWNER A INCORPOATED IN	CATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE RS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED ND/OR AN AUTHORIZED AGENT OF THE OWNER AND FULL HEREIN BY REFERENCE, AND MADE PART OF THE D'THIS ORDINANCE; AND			
	OCUMENTS AND RECORDS NEEDED TO PROCEED WITH THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF			
	OPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS AND ALL OTHER APPLICABLE LAW;			
NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:				
SECTION 1.	THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.			
	41 JORDANS WAY-MARATHON GROCERY			
SECTION 2.	THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.			
	FIRST READING:			
	SECOND READING			
	APPROVED EDWARD R. GIRDLER, MAYOR CITY OF SOMERSET, KENTUCKY			
ATTEST:				

Mr. Easton moved to approve the above Ordinance No. 12-15 annexing property at 41 Jordan's Way-Marathon Grocery . Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-16:

	ORDINANCE NUMBER 12-16				
CONSENT PROPERTY	AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND				
PROPERTY OWNERS COMPLETED; AND T WAITING PERIOD, B' BY THE OWNER ANI INCORPOATED IN FU	WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVENG WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER ANDIOR, AN AUTHORIZED AGENT OF THE OWNER AND INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND				
	UMENTS AND RECORDS NEEDED TO PROCEED WITH IE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF				
	PERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS IND ALL OTHER APPLICABLE LAW;				
NOW THEREFORE, B	E IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:				
SECTION 1.	THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.				
	2880 WEST HIGHWAY 80-GROCERY AND FUEL				
SECTION 2.	THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.				
	FIRST READING:				
	SECOND READING				
	APPROVED EDWARD R. GIRDLER, MAYOR CITY OF SOMERSET, KENTUCKY				
ATTEST:	DSEY, CITY CLERK				
DAVID GO	DSE1, CHI CLERA				

Mr. Easton moved to approve the above Ordinance No. 12-16 annexing property at 2880 West Highway 80- Grocery and Fuel. Mr. Bourne seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mrs. Stringer, Mr. Wheeldon, Mr. Girdler, and Mrs. Hunley. Voting "Nay": Mr. Rutherford and Mr. Beasley. Motion Passed.

Second reading was given the following Ordinance #12-17:

	ORDINANCE NUMBER 12-17					
CONSENT PROPERTY A	AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN; AND					
PROPERTY OWNERS, A COMPLETED, AND THI WAITING PERIOD, BY BY THE OWNER AND/O INCORPOATED IN FUL	WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS EACH HAVING WAIVED THE 60 DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER ANDIOR AN AUTHORIZED AGENT OF THE OWNER AND INCORPOATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND					
	MENTS AND RECORDS NEEDED TO PROCEED WITH PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF					
	WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW;					
NOW THEREFORE, BE	IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:					
SECTION 1.	THAT THE PROPERTIES DESCRIBED IN ATTACHMENTS HERETO, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS.					
	PARCEL 14 SLATE BRANCH ROAD					
SECTION 2.	THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.					
	FIRST READING:					
	SECOND READING					
	APPROVED EDWARD R. GIRDLER, MAYOR CITY OF SOMERSET, KENTUCKY					
ATTEST:	SEY, CITY CLERK					
BIIV B GOD	521, 011 OLLAR					

Mr. Easton moved to approve the above Ordinance No. 12-17 annexing property at Parcel 14
Slate Branch Road. Mr. Mitchell seconded the motion. Upon roll call the following Council
Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Bourne, Mr. Burnett, Mr. Eastham, Mr.
Rutherford, Mrs. Stringer, Mr. Wheeldon, Mr. Beasley, Mr. Girdler, and Mrs. Hunley.

There being no further business the meeting adjourned.

	A	APPROVED:		
			MAYOR	
ATTEST:				
	CITY CI FRK			